

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

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|------------------------------------|---|------------------------------------|
| JOEL SNIDER, |) | |
| |) | Civil Action No. 18 – 703 |
| Plaintiff, |) | |
| |) | |
| v. |) | Magistrate Judge Lisa Pupo Lenihan |
| |) | |
| DR. ROBERT WITTIG, <i>et al.</i> , |) | |
| |) | |
| Defendants. |) | |

ORDER

By Order dated July 11, 2018, Plaintiff was granted leave to proceed *in forma pauperis* in this case but he was advised that he had to pay an initial partial filing fee of \$46.20 to the Clerk of Court by August 11, 2018. (ECF No. 4.) Additionally, the Court ordered the agency having custody of Plaintiff to forward to the Clerk payments from Plaintiff's prisoner account in the amount of twenty percent of the preceding month's income each time the account exceed ten dollars until the entire \$350 filing fee had been paid in full. Plaintiff signed and returned the authorization of payment form permitting payment of the monthly installments and that form was forwarded to the institution at which time he was incarcerated. As of today, however, neither the initial partial filing fee of \$46.20, or any amount thereof has been paid. Therefore,

IT IS HEREBY ORDERED as follows:

1. Within fourteen (14) days of the date of this Order, the agency having custody of Plaintiff shall forward to the Clerk of Court the initial partial filing fee of \$46.20. If the initial partial filing fee is not received within fourteen (14) days from the date of this Order then this action may be dismissed for Plaintiff's failure to prosecute.

2. Plaintiff is required to make monthly payments for the remaining portion of the \$350.00 filing fee in accordance with 28 U.S.C. § 1915(b).
3. The Superintendent/Warden of the institution where Plaintiff is incarcerated is directed to remit from the prisoner's account, in monthly installments, the full \$350.00 filing fee. Enclosed is a copy of Plaintiff's signed Authorization. As soon as funds are available in the inmate's prison account, the Superintendent/Warden in any institution where the inmate is incarcerated is required by law to set aside and remit on a monthly basis 20 percent of the preceding month's deposits credited to the prisoner's account until the \$350.00 filing fee has been paid in full. Each time a deposit is made to the inmate's account, the Superintendent/Warden shall set aside the deposit immediately before any disbursement is made by the inmate, until an amount equal to 20 percent of the previous month's deposits is obtained. When the 20 percent amount is obtained, and the amount in the account exceeds ten dollars, it shall be transmitted in one monthly payment to the Clerk of Court. Each payment shall be clearly identified by the name and number of the prisoner and the number assigned to this action. Payments must be made payable to "Clerk, U.S. District Court of the Western District of Pennsylvania" and transmitted to:

Clerk's Office
United States District Court
Western District of Pennsylvania
700 Grant Street, Rm. 3110
Pittsburgh, PA 15219

In the event that Plaintiff is transferred to a different correctional facility before the full filing fee is paid, you must forward this Order to the Superintendent/Warden of the receiving institution. This Order will be binding on the Superintendent/Warden of

any correctional facility where the prisoner is incarcerated until the filing fee is paid in full in accordance with the provisions of 28 U.S.C. § 1915(b)(1).

4. The Clerk of Court is directed to forward a copy of this Order to the Superintendent/Warden where Plaintiff is currently incarcerated.

Dated: March 4, 2019.

/s/ Lisa Pupo Lenihan
Lisa Pupo Lenihan
United States Magistrate Judge

Cc: Joel Snider
KZ-8124
SCI-Houtzdale
P.O. Box 1000
209 Institution Drive
Houtzdale, PA 16698-1000

Superintendent
SCI-Houtzdale

Inmate Account Officer
SCI-Houtzdale